

**REMARKS**

Applicant has carefully reviewed this Application in light of the Office Action mailed August 21, 2003. Claims 1-20 are pending in this Application. Claims 1-20 stand rejected under 35 U.S.C. §103. Applicant has amended Claims 1, 2, 9, 11, 13-16 and 18-20 to further define various features of Applicant's invention. Applicant respectfully requests reconsideration and favorable action in this case.

**Rejections under 35 U.S.C. §103**

Claims 1-20 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,292,623 issued to Kevin G. Kemp et al. ("Kemp") in view of U.S. Patent No. 5,437,947 issued to Hun Hur et al. ("Hur") or U.S. Patent No. 5,411,824 issued to Prahalad K. Vasudev et al. ("Vasudev").

Kemp discloses a phase shifting mask that includes a trench region customized to provide a desired degree of phase shifting. (Col. 4, Lines 39-47).

Hur discloses a phase shifting mask for improving resolution. An opaque layer is formed in a trench to serve as a light shielding layer. (Col. 3, Lines 56-63).

Vasudev discloses a phase shifting mask that includes light absorbing/attenuating sidewalls disposed along the vertical portion of a trench formed in a substrate. (Col. 4, Lines 13-26).

Claim 1, as amended, recites an method comprising "forming a layer of antireflective material within the bottom of at least one trench, the antireflective material substantially transparent to at least one wavelength."

Claim 11, as amended, recites a method comprising "depositing a transparent antireflective layer in the recessed transmissive area."

Claim 14, as amended, recites a photomask comprising "an antireflective layer deposited on a bottom surface of the recessed transmissive portion, the antireflective layer substantially transparent to at least one wavelength."

Applicant respectfully submits that the cited references fail to disclose every element of Applicant's invention. Kemp, Hur or Vasudev, alone or in combination, fail to teach at least "forming a layer of antireflective material within the bottom of at least one trench, the

antireflective material substantially transparent at least one wavelength,” as recited by amended Claim 1. Also, Kemp, Hur or Vasudev fail to teach at least “depositing a transparent antireflective layer in the recessed transmissive area,” as recited by amended Claim 11. Further, Kemp, Hur or Vasudev fail to teach or suggest “an antireflective layer deposited on a bottom surface of the recessed transmissive portion, the antireflective layer substantially transparent to at least one wavelength,” as recited by amended Claim 14. The cited references fail to disclose the recited limitations and cannot render obvious Claims 1, 11 and 14.

Given that Claims 2-10 depend from Claim 1, Claims 12 and 13 depend from Claim 11, and Claims 15-20 depend from Claim 14, Applicant respectfully submits that Claims 2-10, 12, 13, and 15-20 are allowable. As such, Applicant respectfully requests that the Examiner withdraw the rejections and allow Claims 1-20.

**CONCLUSION**

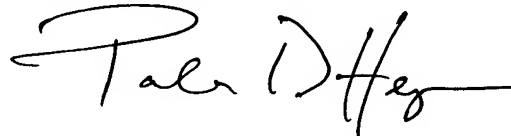
Applicant appreciates the Examiner's careful review of the application. Applicant has now made an earnest effort to place this case in condition for allowance in light of the amendments and remarks set forth above. For the foregoing reasons, Applicant respectfully requests reconsideration of the rejections and full allowance of Claims 1-20, as amended.

Applicant believes there are no additional fees due, however, the Commissioner is hereby authorized to charge any additional fees or credit any overpayment to Deposit Account No. 50-2148 of Baker Botts L.L.P.

If there are any matters concerning this Application that may be cleared up in a telephone conversation, please contact Applicant's attorney at 512.322.2581.

Respectfully submitted,

BAKER BOTTS L.L.P.  
Attorney for Applicant



Paula D. Heyman  
Reg. No. 48,363

**SEND CORRESPONDENCE TO:**

Baker Botts L.L.P.

CUSTOMER ACCOUNT NO. **31625**

512.322.2581

512.322.8328 (fax)

Date: Nov. 21, 2003